



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

NOV 01 2000

Lyn Utrecht, Esquire
Eric Kleinfeld, Esquire
Ryan, Philips, Utrecht & MacKinnon
1133 Connecticut Avenue, NW, Suite 300
Washington, D.C. 20036

RE: MUR 4930
Clinton/Gore '96 General Committee and Joan Pollitt, Treasurer

Dear Ms. Utrecht and Mr. Kleinfeld:

On October 1, 1999, the Federal Election Commission notified your clients of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against your clients. See attached narrative. Accordingly, the Commission closed its file in this matter on October 25, 2000.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Alva E. Smith on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 694-1650.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeff S. Jordan", is written over a horizontal line.

Jeff S. Jordan
Central Enforcement Docket

Attachment: Narrative

MUR 4930

AMERICAN FEDERATION OF TEACHERS

Philip Stimac alleged that the 1996 Clinton/Gore campaign used the American Federation of Teachers' ("AFT") web page to endorse the campaign. The AFT is a labor organization affiliated with the International Brotherhood of Teamsters. Furthermore, the complainant apparently alleged that AFT made contributions to the Clinton/Gore campaign, and made union dues compulsory.

The Clinton/Gore campaign stated that it was entirely publicly funded and denied accepting contributions of any kind. Clinton/Gore also denied that AFT's web page endorsed the campaign. Rather, Clinton/Gore stated that the Clinton/Gore banner that appeared on the web page simply posted the candidates names, and was a clear exercise of free speech and grass roots political activity by AFT.

In response to the complaint, the International Brotherhood of Teamsters stated that the issues raised in the complaint did not constitute a violation of FECA. They presumed that the complainant referred to a long running dispute between a group of members of local unions affiliated with the International Union and their respective local unions regarding "supplemental working dues." The International Union was not involved in the "supplemental working dues" process. It was the International Union's understanding, however, that the local unions used that money to fund their representational activities. The International Union believed that the complainant referred to the manner in which the collection of dues was authorized, which it assumed was not within the Commission's jurisdiction.

Respondent American Federation of Teacher did not respond to the complaint.